

Attorney Ref. 20002.0227

Examination
3-4-03
K9/TERMINAL
DISCLAIMER

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: R. Halko *et al.*

Application No.: 10/028,290

Group Art Unit: 3711

Filed: December 28, 2001

Examiner: A. Hunter

For: MULTI-LAYER, WOUND GOLF BALL

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TERMINAL DISCLAIMER UNDER 37 CFR § 1.321(c)

Box Non-Fee Amendment
Commissioner for Patents
Washington, D.C. 20231

Sir:

Petitioner, Sean P. O'Hanlon, represents that he is one of the attorneys of record representing Acushnet Company, the assignee of the entire right, title and interest in and to the above-identified application by virtue of an assignment from Roman D. Halko and Brian R. Fletcher to Acushnet Company, recorded at Reel 011040, Frame 0193.

Petitioner hereby disclaims the terminal part of any patent granted on the above-identified application (the '290 application) that would extend beyond the expiration date of U.S. Patent No. 6,458,046 (the '046 patent), and hereby agrees that any patent so granted on the '290 application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to the '046 patent.

Petitioner further agrees that this agreement is to run with any patent granted on the '290 application and is to be binding upon the grantee, its successors, and assigns.

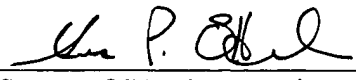
Petitioner does not disclaim any terminal part of any patent granted on the '290 application prior to the expiration date of the full statutory term of the '046 patent in the event that such patent later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term, except for the separation of legal title as stated above.

Petitioner hereby confirms that he has reviewed the assignment and, to the best of his knowledge and belief, title is in the assignee seeking to take action in this matter and that he is empowered to act on behalf of Acushnet Company.

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Petitioner hereby declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: February 26, 2002

By: 
Sean P. O'Hanlon, Registration No. 47,252
Attorney for Assignee Acushnet Company

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